

REMARKS

Claims 1-4 and 7-9 have been rejected under 35 U.S.C. §102(b) as being anticipated by Fox, U.S. Patent No. 4,815,896.

The Examiner's rejections are respectfully traversed.

The claims as now amended are directed to an anti-scaling device including a hollow central body portion mounted on a bar for rotation around a transverse axis. The bar passes through the hollow central portion along the transverse axis. Several spigots or poles are extending outwardly from the body portion in different directions. The spike units are each mounted on the spigot or pole for rotation around an axes non-congruent with the transverse axis.

Fox et al'896 is directed to a shark cable protector wherein the spikes extend outwardly from the pipe. The only means of rotation of the spikes around the pipe around the tubular means is if the whole tubular means rotates around the cable. The spikes in and of themselves do not "rotate" as in the Applicants' invention. As discussed in column 2, lines 24-31 of Fox'896, the spikes may be attached by screwing at position 16 (which is not shown), or molded in one piece. This does not fall under the definition of "rotatable" used by the Applicants because if the spikes "rotate", they will eventually fall out. They are meant to be screwed into place and then held in one position.

On the other hand, not only does the base bar rotate around the cable in the Applicants' invention, but each of the spike units are rotatable on the spigot or pole along the central body portion without being removable via rotation. Thus, the Applicants' invention is not anticipated by Fox'896.

Claims 1, 5, 6 and 10 have been rejected under 35 U.S.C. §103(a) as being obvious over Francis, U.S. Patent No. 4,739,970, in view of Fox'896.

The Examiner's rejection is respectfully traversed.

Again, with Francis, the rotation is complete around a sleeve 34. The individual projections in and of themselves are not rotatable around the sleeve as they all are formed as one body portion. Thus, the Applicants' invention is not anticipated by Francis'970, in view of Fox'896.

In view of the foregoing, it is believed that the amended claims and the claims dependent there from are in proper form. The Applicants respectfully contend that Fox '896 does not establish a *prima facie* case of obviousness under the provisions of 35 U.S.C. §102(b). The Applicants also respectfully contend that the teachings of Francis '970 in view of Fox '896 do not establish a *prima facie* case of obviousness under the provisions of 35 U.S.C. §103(a). Thus, claims 1-11 are considered to be patently distinguishable over the prior art of record.

The application is now considered to be in condition for allowance, and an early indication of same is earnestly solicited.

Respectfully submitted,



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